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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,899	03/24/2004	Sang-Eun Nam	2060-3105	7413

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EXAMINER

SAMS, MATTHEW C

ART UNIT PAPER NUMBER

2643

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/808,899	Applicant(s) NAM, SANG-EUN	
	Examiner Matthew C. Sams	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/22/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed on 11/22/2004 has been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 & 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Chiang (US-4,239,269).

Regarding claim 1, Chiang teaches a locking mechanism (Fig. 4 & 5) comprising at least one spring loaded locking member (Fig. 4 [30 & 35]), at least one lock release device operatively coupled to at least one spring loaded locking member (Fig. 5 [30 & 35]), at least one latching member (Fig. 4 [8]) being released from the grip of the spring loaded locking member (Fig. 5 [30 & 35]) when the lock release device is forced in

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frictional sliding contact with at least one spring loaded locking member against the spring bias of the spring loaded locking member. (Fig. 4, Fig. 5 and Col. 2 lines 5-29)

Regarding claim 4, Chiang teaches a locking mechanism that has a lock release device that includes a first surface adapted to match the curvature of a corresponding second surface on the spring loaded locking member. (Fig. 4 and Fig. 5 [8 & 32])

Regarding claim 5, Chiang teaches a first and second surface that has an inclined configuration. (Fig. 4 & 5 [8 & 32])

Regarding claim 6, Chiang teaches a lock release device is spring loaded. (Fig. 4 & 5 [30 & 35] and Col. 2 lines 30-68)

Regarding claim 7, Chiang teaches at least one spring loaded locking member adapted to move in a first direction against its spring bias. (Fig. 4 & 5 [30 & 35] and Col. 2 lines 30-68)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 & 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang in view of Hughes et al. (US-6,625,425 hereafter, Hughes).

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Regarding claim 2, Chiang teaches a locking mechanism as shown above regarding claim 1, but differs from the claimed invention by not mentioning the locking mechanism is used for removably locking a battery cover to the main body of a mobile telephone set. However, Hughes teaches a latching assembly for a module cover (Fig. 2 [212]) of a wireless communication device's battery (Fig. 2 [204]). (Fig. 2, Col. 1 lines 42-51 & Col. 3 lines 19-41) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to use the locking mechanism of Chiang in the wireless communication device's battery module cover of Hughes. One of ordinary skill in the art would have been motivated to do this since Chiang's lock has a simple structure with minimal components (Chiang Col. 1 lines 10-13) and can secure the battery cover to the housing to keep foreign matter out of the inside of the mobile device. (Hughes Col. 1 lines 42-67)

Regarding claim 3, Chiang in view of Hughes teaches one spring loaded locking member (Chiang Fig. 5 [30 & 35]) includes one locking leg adapted to grip (Chiang Fig. 4 & 5 [32]) at least one latching member (Chiang Fig. 4 & 5 [8]) to secure the battery cover (Hughes Fig. 2 [212]) to the main telephone body. (Hughes Fig. 2 [102])

7. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang.

Regarding claim 8, Chiang teaches two identical spring loaded lock release devices (Fig. 1 [4 & 4]) that move in the same direction against its spring bias and differ from the claimed invention by not moving in different directions. However, it would be obvious to one of ordinary skill in the art to move the spring loaded lock releases from

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the front of the briefcase to the sides of the briefcase in order to have the second spring bias's direction and force being the opposite of the direction and force of the first spring bias. One of ordinary skill would have been motivated to do this since having one spring bias's force cancel out the second spring bias's force would keep the briefcase from moving in an unwanted direction away from the user when the user is pressing the lock release devices.

Regarding claim 9, Chiang teaches the second direction is substantially perpendicular to the first direction. (Fig. 5 [arrows left-to-right and bottom-to-top])

Regarding claim 10, Chiang teaches that when the first and second inclined surfaces are in frictional sliding contact, at least one of the spring loaded lock release device is forced to move in the second direction. (Fig. 4 [8, 30, 32 & 35] and Fig. 5 [arrows, 8, 30, 32 & 35])

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6,785,567 to Kato featuring a radio device holder and locking member.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571)272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MCS
12/7/2005


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